IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.16412 of 2006

DATE OF DECISION: October 16, 2006

Gurvel Kaur @ Basant Kaur

….Petitioner

VERSUS

Union of India and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri B.S.Jaswal, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

On the asking of Court, Shri Rajeev Sharma, Central Govt. Standing Counsel for Union of India accepts notice on behalf of the respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner has approached this Court for issuance of direction to the respondents to release the enhanced special pension to the petitioner being widow of late Gurcharan Singh who was sentenced to death by the British Authorities in the year 1940. The petitioner for the aforesaid claim, relies upon the revised instruction issued by the Central Government dated August 16, 1997 (Annexure P.2).

After hearing the learned counsel for the petitioner and taking into consideration the averments made in the present petition, we find that the petitioner has already approached the competent authority through a representation (Annexure P.9) dated July 20, 2006 which remains unresponded so far.

In this view of the matter, without going into the merits of the claim made by the petitioner, we dispose of the present petition with a direction to the Pay and Accounts Officer (Pension and Misc.), Ministry of Home Affairs, New Delhi respondent No.2 to take a final decision on the aforesaid representation (Annexure P.9) within a period of four months from the date a certified copy of this order is received, by passing a detailed and speaking order.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 16, 2006
KD

(H.S. Bhalla)
Judge